

ANDERSON KILL P.C.

Attorneys and Counselors at Law

1251 AVENUE OF THE AMERICAS ■ NEW YORK, NY 10020
TELEPHONE: 212-278-1000 ■ FAX: 212-278-1733

Jeremy E. Deutsch, Esq.
jdeutsch@andersonkill.com
212-278-1172

Via ECF

April 18, 2019

Hon. Lorna G. Schofield, U.S.D.J.
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Fenix Securities, LLC v. Axos Clearing LLC
Case No.: 19 CIV. 3331 (LGS)


Dear Judge Schofield:

We are counsel for Respondent Axos Clearing LLC ("Axos Clearing"), and we write with respect to Docket #12, your Order of today's date concerning the now denied temporary restraining order. We write to request that you reconsider and withdraw your Order as moot or mistaken as the Hon. Kimba M. Wood held a hearing on the temporary restraining order on April 16, 2019 and lifted that order in its entirety and denied Petitioner's request for injunctive relief (attached hereto as Exhibit A is a true and correct copy of the transcript): "Thus, I lift the temporary restraining order." (*Id.* at p. 28 at lines 20-21). Given Judge Wood's rulings (*see id.* at pages 27-28), we request that you reconsider and withdraw your Order with respect to the TRO and injunction as such has been lifted and is no longer in force or effect.

We thank the Court for its courtesy and attention to this matter, and we are available if the Court has any questions or would like to speak with the parties.

Respectfully submitted,

ANDERSON KILL PC

By: 

Jeremy E. Deutsch
1251 Avenue of the Americas
New York, NY 10020
Telephone: (212) 278-1172
Facsimile: (212) 278-1733
E-mail: jdeutsch@andersonkill.com

cc: All counsel by ECF

Enclosure

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